SUPREME COURT DECISIONS. Reported for The Clarion by L. Brame, Atterney-at-Law, Jackson, Miss.

OCTOBER TERM, 1880.

R. F. BECE, TAX-COLLECTOR, No. 2518.

Appeal from the Chancery Court of Warren County, Hon. Upton M. Young, Chancellor.

Allen filed this bill seeking to enjoin the collection of all county taxes on his property leviel for the year 1880; or, if that could not be done, for an injunction against all over fitteen mills on the dollar. He tendered eighteen benty, Hon, Upton M. Young, Chancellor. teen mills on the dollar. He tendered eighteen mills, three of which constituted the state tax, and an injunction was granted against the coltant in all the new constitutions the state tax, and in all the new constitutions the state tax, and in all the new constitutions the state tax is in the power of including the suggestion is plausible at least, that the meaning of § 16 twice adopted by this court, is its most obvious one.

By § 21, art. 6, of the constitution, it is pro-

clark entered on the minutes. In:
clark entered the order, and at the next meeting, first Manday in October, the minutes were
real over in the presence of the board and
signed by the president.

This are not had the effect, at least, to make

This are not had the time of approval.

The opposite construction involves the greatest inconsistency in the framers of the constiest inconsistent with the right of private provisions are inconsistent with the assumption of a mere address to the legislature, and indicates a purpose to exclude legislative intervention.

Where the minutes of the section is provided in the constiest inconsistent with the right of private provisions are inconsistent with the assumption of a mere address to the legislature, and indicates a purpose to exclude legislative intervention.

individual members letting out contracted by vacation to build bridges are invalid; and no subsequent ratification of such contracts can impair to them validity. Supervisors v. Arroys, 51 Miss, 568.

But, now instanting the invalidity of these delite, the injunction can not be maintained by reserved to individuals as against the power of the government, or where it impaired the power of the people or their representatives to prevent maladministration by their officers and agents, or sanctioned an alienation of legislative power conferred for the public good, little besitation should be felt in depart.

were not before the court. They might successfully deny the charges as to the invalidity tions to modify the injunction according to this of the warrants, and it would be wrong to opinion. lebes without giving mem a hearing.

ENTERED AT THE POST-OFFICE AT JACKSON VOLUME XLIII.

lature shall pass laws to exclude from office | "Constitutions are not designed for metaphysand from suffrage persons convicted of bribery," (§ 2); "The legislature shall provide houses of refuge for the correction and reformation of juvenile offenders," (§ 28.) Therefore no just argument in favor of a particular construction can be founded on the suggestion that section 16 is a particular construction can be founded on the suggestion that section 16 is a particular construction can be founded on the suggestion that section 16 is a particular construction can be founded on the section 16 is a particular construction can be founded on the section 16 is a particular construction can be founded on the section 16 is a particular construction can be founded on the section 16 is a particular construction can be founded on the common wants.

of supervisors imposing it. The board met at the proper time, Sept. mber 9, 1880, and agreed and ferries) and to provide the same at any is the levy, but adjourned before the order expense. A power so ample is alarming, and making it was entered on the minutes. The is inconsistent with the right of private prolimitation, might deny it.

The case of Supervisors v. Alem. 31 Miss., about the objection is not a subject of the court house, jail or other countries and it is the duty of the board to levy within prescribed limits, they still exist, notwithstanding the it the board to levy within prescribed limits, the state board to levy within prescribed limits, and this now seems to have been adopted by the control of the legislature; and this now seems to have been adopted by the control of the legislature; and this now seems to have been adopted by the control of the legislature; and this now seems to have been adopted by the control of the legislature; and this now seems to have been adopted by the control of the court without an examination into the limits, and this now seems to have been adopted by the court without an examination into the limits, and this suggested the control of the court house, jail or other court house, ja

thermselves additional compensation under was said, that on constitutional questions, any circumstances. debts attempted to be contracted by reserved to individuals as against the power

debts, the injunction can not be maintained ing from it when satisfied of its incorrect-on that ground. In the first place, the debts ness. or warrants claimed to be illegal are not spec-ified. The allegation is, that they are in great part void and illegal on the grounds stated. This is too vague.

In the next place the holders of the warrants Decree reversed and cause remanded with direct

CHALMERS, C. J., concurring. Within the limit prescribed, the board should not be interfered with in levying taxes on a more allegation of excess in the tery because some of the debts intended to be

suggestion that section 16 is nugatory if it can have no operation except that which the legislature may see proper to give it, for this is true of the various other provisions above alluded to.

the state tax, amounted to twenty-five mills.

The county levies, with exercise of the power is restricted.

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The state tax, amounted to twenty-five mills.

The latter will, of course, be the real county who shall constitute a board of real repairing it and on the cost of construction. The latter will, of course, be the Appellant, defendant below, made a motion to dissolve the injunction which being overnot fairly be construed into an exclusion of ty elections, etc. Certain matters for their

cause it is the intent of the instrument that shall be possessed by every county, secure

the county of the deb's on was based. The intention must have been to invest it at all. The determination to charge at present rates, and will find themselves which these warrants are based were contract Notwithstanding these decisions, the legis- with the force of fundamental law the right the people of the county upon the question as to exercise the power as a sacred duty.

> in the face of provisions in the constitutions of other states restrictive of the power of local taxation, inserted the section under consideration, strengthens the conviction that they intended to secure to each county, beyond the reach of legislative denial, the right specifical-

right shall not be denied.

RAILROADS AS HIGHWAYS JUDGE BLACK'S VIEWS.

JACKSON, MISSISSIPPI, THURSDAY, DECEMBER 16, 1880.

Railroads Public Property in Which all

merce addressed to prominent men in settles that. for more pressing reasons? What do you think of companies and managers by the nominal amount of these bonds and contributing large sums of money to shares. It is easy for a competent engineer to tell how any road ought to cost, supposing the work to be honestly done and liber-The period of the famous of the constitution. To justify such meaning, we must be inconsistency in the framers of the constitution. To justify such meaning, we must be inconsistency in the framers of the constitution. To justify such meaning, we must be inconsistency in the framers of the constitution. To justify such meaning, we must be inconsistency in the framers of the constitution. To justify such meaning, we must be inconsistency in the framers of the constitution. To justify such meaning, we must be inconsistency in the framers of the constitution. To justify such meaning, we must be inconsistency in the framers of the constitution. To justify such meaning, we must be inconsistency in the framers of the constitution. To justify such meaning, we must be inconsistency in the framers of the constitution. To justify such meaning, we must be inconsistency in the framers of the constitution. To justify such meaning, we must be inconsistency in the framers of the constitution. To justify such meaning, we must be the constitution. To justify such meaning, we must be the constitution of the right to raise money, the court houses, jails and that it was intended to remedy this by securing to the court houses, jails and that it was intended to remedy this by securing to the court houses, jails and that it was intended to remedy this by securing to the court houses, jails and that it was intended to remedy this by securing to the court houses, jails and that it was intended to remedy this by securing to the court houses, jails and that it was intended to remedy this by securing to the court houses, jails and that it was intended to remedy this by securing to the court houses, jails and that it was intended to remedy this by securing to the court houses, jails and that it was intended to remedy the subject is the board of the right to raise money, the object is the board of the right to raise money, the object is the board of the right to raise money for the levies constrained, you then such that the xealistic proper establish a fercy, but may without restriction build bridges.

Continuously since 1871, shortly after the constitution was adopted, has been in force a statute limiting the power of the board under the section in the order of the particular law under which was made. The clerk was prohibited was made. The clerk was prohibited was made. The clerk was prohibited from neuting warrants on allowances in disregard of these provisions.

Warrants lessed to void and they would constitute no say of the particular law under the section is a prohibited to usurp it, and I need not the manner in which it may be exercised, the specification is a prohibition against legislative constitution was adopted, has been in force a statute limiting the power of the board under the section in a destroy, does not alter the case. The fact that the section of the railroad problem. They avow that they make their exaction in the order of the particular law under which it was made. The clerk was prohibited to usurp it, and I need not the solution of the railroad problem. They avow that they make their exaction in the solution of the railroad problem. They avow that they away that they avow that they make their exaction in the solution of the railroad problem. They avow that they make their exaction in the solution of the railroad problem. They avow that they avow that they make their exaction in the solution of the railroad problem. They avow that they make their exaction in the solution of the railroad problem. They avow that they make their exaction in the solution of the railroad problem. They avow that they make their exaction in the solution of the railroad problem. They avow that they make their exaction in the solution of the railroad problem. They avow that they make their exaction in the solution of the railroad problem. They avow that they make their exaction in the solution of the railroad problem. They avow that they make their exaction in the solution of the railroad problem. They avow that they make their exaction in the solution public authority, else the road is not a highway, and the State has no right in the sun. The irregularity with which this tax is laid makes it still harder to bear. Men go into a business which may thrive Mode these watrants are based were contract with these watrants are based were contract with the second and the working the public roads, and for building bridges—such contracts being made by indication to charge dividual members of the beard in watrants in making contracts and supervising the work.

We are fully impressed with the force of fundamental law the right to determine their characters being made by in the state, both in 1878 and in 1886, re-enacted to the country who dividual members of the beard in making contracts and supervising the work.

We are fully impressed with the force of fundamental law the right to determine their characters and supervising the work.

We are fully impressed with the weight due the opinions of the doctrine of stars decisin, in cases to which it is properly applicable. We are also impressed with the weight due the opinions of the learned Judges who concurred in these of the board of supervises of the board druy.

The allowance for "extra services" is unavarranted. The members of the board are trustees, sharged with a public dury. Their should have the right to determine their characters and pay for what they chose to have.

The right of the legislature to regulate the manner of exercising the power conferred is not deed the exercise of the proposed with the weight due the opinions. But we do not deem that in a pursue of the board are trustees, sharged with a public dury. Their should be a supervision of the political department of the country upon the elegislature can require even a vote of the board are started. The members of the board of the country upon the elegislature can require even a vote of the country upon the matter of the country upon the matter of the country upon the matter of the country upon the agreement of it is the board of upon their determination to charge with the restrictive laws before noticed. We are fully impressed with the force of tundents that the right to element their characters and pay for what they chose to have.

The right of the country to the character and amount of the expendi- Below will be found

YORK, PENN., Nov. 16, 1880.

Committee on Railroad Transportation of the New York Chamber of Commerce: GENTLEMEN-You propose a movement in favor of some legal regulation which tice imperatively requires that freights be conscience merely of the legislature is addressed, is to fritter away the provision. The expressed will of the sovereign is that the rights of property, are sacred, and no viousless of property are sacred and no viousless of property are The word "sufficient" does not suggest the idea of legislative determination of the amount to be raised. The authority is to raise enough money, not too much, for the objects named. The construction of excess of the street of the first of the control of the street of the first of the control of the street of the street of the first of the street of t

The state of the s

rate is unreasonably high, because such a rate is practically the same thing as no limitation at all. The conclusion that all the railroad corporations in the country may be constitutionally restrained to reasonable and Authority and Bounden Duty of the State to Regulate and Control Them—

In the proper last value of the sold in the state value of the sold in the sold it in the business of a common carrier, they To Prevent Extortion and Discriminamight be compelled to behave themselves justly to all their customers, and submit to The New York Chamber of Com- Waite in Munn vs. Illinois (Otto 4. p. 113)

additional shares are divided among thembusiness. Of course, nobody thinks that the real cost of the road is to be measured is equal to an export tax upon the whole crop of probably \$75,000,000. The farmers must submit to this highway robbery or else keep the products of their land to rot on their hands. They submit, of course, as all other classes of industrious people submit to similar impositions. Common justice imperatively requires that freights be

in the county.

A. The supervisor to descape the supervisors to descape the county of the power to levy explication to result. I counted to first eventual to the eventueth secretary of the surprise of the power to levy explicit to the power to levy explication to result. I counted the training of consideration the right to leave to the point the Judges were agreed. Up to the point the Judges were agreed to the right to point the Judges were agreed to the right to point the Judges were agreed to the right to point the Judges were agreed to the right to point the Judges were agreed to the right to the point the Judges were agreed to the right to the point the Judges were agreed to the right to the right to the point the Judges were agreed to the right to the point the Judges were agreed to the right to the point the Judges were agreed to the right to the point the Judges were agreed to the right to the point the Judges were agreed to the right to the point the Judges were agreed to the right to the point the Judges were agreed to the right to the point the Judges were agreed to the right to the point the Judges were agreed to the right to the point the Judges were agreed to the right to the point the Judges were agreed to the right to the point the Judges were agreed to the right to the right to the point the Judges were agreed to the right to the point the Judges were agreed to the right to the point the Judges were agreed to the right to the point the Judges were agreed to the right to the point the Judges were agreed to the right to the point the Judges were agreed to the right to the Judges were agreed to the right to the right to the point the Judges were agreed to the right to the point the Judges were agreed to the right to the point the Judges were agreed to the right to the point the Judges were agreed to the right to the point the Judges were agreed to the right to the point the Judges were agreed to the right to the point the Judges were agreed to the right to the point the Judges were agreed to the ri

EXTRACTS FROM THE ANNUAL

Fellow-Citizens of the Senate and House of

The occurrence of the twenty-fourth elecregions parts of the country a circular asking their opinions on some of the asking their opinions on some of the asking their opinions on some of the asking their opinions on the country and on the country of the country will depend on the case of construction of the pagestrate has about a dollar, the greater becomes the danger that this country will be forced to accept a single metal as the sole legal standard of value, in the country will be forced to accept a single metal as the sole legal standard of value, in the country will be forced to accept a single metal as the sole legal standard of value, in the country will be forced to accept a single metal as the sole legal standard of value, in the country will be forced to accept a single metal as the sole legal standard of value, in the country will be forced to accept a single metal as the sole legal standard of value, in the country will be forced to accept a single metal as the sole legal standard of value, in the country will be forced to accept a single metal as the sole legal standard of value, in the country will be forced to accept a single metal as the sole legal standard of value, in the country will be forced to accept a single metal as the sole legal standard of value, in the country will be forced to accept a single metal as the sole legal standard of value, in the country will be forced to accept a single metal as the sole legal standard of value, in the country will be forced to accept a single metal as the sole legal standard of value, in the country will be forced to accept a single metal as the sole legal standard of value, in the country will be forced to accept a single metal as the sole legal standard of value, in the country will be forced to accept a single metal as the sole legal standard of value, in the country will be forced to accept a single metal as the sole legal standard of value, in the country will be forced to accept a single metal as the sole legal standard of value, in the country will be forced to accept a single metal a chief points involved in the problem of railroad transportation. A series of questions were asked, among were questions were questions were questions were asked, among were questions were questions as a standard of less value to the gold dollar, and that its coinage value to the gold dollar, and that its coinage value to the gold dollar, and that its coinage value to the gold dollar, and that its coinage value to the gold dollar, and that its coinage value to the gold dollar, and that its coinage value to the gold dollar, and that its coinage value to the gold dollar, and that its coinage value to the gold dollar, and that its coinage value to the gold dollar, and that its coinage value to the gold dollar, and that its coinage value to the gold dollar, and that its coinage value to the gold dollar, and that its coinage value to the gold dollar, a ruled, he appealed.
The other facts necessary to be considered an otherwise acknowledged right to control and supervise.

The other facts necessary to be considered to philose is given.

The other facts necessary to be considered to philose is given.

The other facts necessary to be considered to philose is given.

The other facts necessary to be considered to philose is given.

The other facts necessary to be considered to philose is given.

The other facts necessary to be considered to philose is given.

The other facts necessary to be considered to philose is given.

The other facts necessary to be considered to philose is given.

If a different construction from that which the dark as the country shall be deared to the country and the board would have the right, to convenient circulation.

The constitution of the United States, or the proportion as fair profit on the capital they comported the corporators a fair profit on the capital they convenience for the limit of the country shall be deared to the country shall not be worth in the convenient circulation.

The constitution of the United States, or the project of the United States, and our best included the convenient circulation.

The constitution of the United States, or the project of the United States, and our best included the convenient circulation.

The constitution of the United States, and our best included to the country shall be deared based on the free consent of an intelligent money. To banish either of these metals It is now but a few days over a month and patriotic people possesses elements of strength, stability, and permanency not found in any other form of government. Continued opposition to the full and free enjoyment of the rights of citizenship continued to the rights of citizenship continued terred upon the colored people by the recent ed in maintaining it as one of the two and doing such work as the farmer, at this amendments to the constitution still pre-vails in several of the late slave-holding of the world. It will, in my judgment, Scientific Departments as now organized. States. It has perhaps not been manifested contribute to this result if Congress will in the recent election to any large extent in ACTS OF VIOLENCE OR INTIMIDATION.

It has, however, by fraudulent practices in connection with the ballots, with the regu- containing only 4122 grains of silver, and in college "shall give a common school educalations as to the places and manper of vot- its stead will authorize the Secretary of the tion to the youth of the State," and, also, a ing, and with counting, returning and canvassing the votes cast, been successful in
defeating the exercise of the right preservative of all rights, the right of suffrage, which the Constitution expressly confers gress, on several occasions, has altered the is thought ought to be applied to other upon our enfranchised citizens. It is the desire of the good people of the whole country that sectionalism as a factor

in our politics should disappear. They prefer that no section of the country should be united in solid opposition to any other section. The disposition to refuse a prompt and hearty obedience to the equal-rights amendments to the Constitution, is all that now stands in the way of a complete obliteration of sectional lines in our political contests. As long as either of these amendments is flagrantly violated or disregarded, ing the legitimate results of the war for the Union, and who believe them to be wise and necessary, will continue to act together, and to insist that they shall be obeyed. The paramount question still is, as to the enjoyment of the right by every American citizen who has the requisite qualifications, to freely cast his vote and to have it honestly counted. With this question rightly settled the country will be relieved of the contentions of the past; bygones will indeed be bygones; and political and party issues with respect to economy and efficiency of administration; internal improvements, the tariff, domestic taxation, education, finance, and ly cast his vote and to have it honestly freight 5 cents per hundred weight, which is equal to an export tax upon the whole other important subjects, will then receive to compensation, retirement, and other deis equal to an export tax upon the whole crop of probably \$75,000,000. The farmers to and nullification of the results of the litting and proper, and would be warmly boys in work, and no class distinction can

And the fact that the provision was not in the constitution of 1832, but that the subject was under that constitution, left to legislative control, shows that a change was intended by inserting it in the present constitution, and that it meant something. To say that the it meant something. To say that the meant something and the meant something and the meant something. To say that the meant something are the meant something. To say that the meant something are the meant something and the meant something are the meant something. To say that the meant something are the meant something and the meant something are the meant something and the meant something are the meant something and the meant something are the meant something are the meant something and the meant something are the meant something are the meant something and the meant something are the meant something are the meant something are the meant something and the meant something are the meant something are the meant something and the meant something are the meant something are the meant something and the meant something are the meant something are the meant something and the meant something are the meant something and the meant something are the meant something are the meant something are the meant something and the meant something are Government: They are the solemn expression of the will of the people of the United by said act shall be disbursed under the best in the Southern States. Separate States.

> rights of all our citizens must be maintained, does not grow weaker. It will continue to control the Government of the country.

grains of silver, has not increased. During for manual labor and for market purposes or authorizing its coinage, the market value purposes is already in excess of the probaof the silver which it contained was from ninety to ninety-two cents, as compared with the standard gold dollar. During the silver of less market value than the gold in the People Have Equal Rights—The just charges is not merely drawn from the continued and increasing prosperity of our

> It is obvious, that the legislation of the it does prevent its being held or hourded as last Congress in regard to silver, so far as it deserves, or exported, and pushes it into cire was based on an anticipated rise in the culation until it returns to the Treasury as any regulation for the public good. The unanswerable opinion of Chief-Justice with peace and friendship with other navalue or silver as a result of that legislation, the least valuable and desirable money in ted. The longer the law remains in force, requiring as it does the coinage of a nomi- fully, but earnestly, recommends that the tion of Chief Magistrate has afforded an- nal dollar, which, in reality, is not a dollar, further coumplsory coinage of the silver doltransmission of the power and authority of circulation, and this is a standard of less value to the gold dollar, and that its coinage

as requires the coinage of silver dollars, seven sections. The law designates that the accordance with familiar precedents. Con- applied to the Preparatory Department as ratio of value between gold and silver, in universities and colleges. The large numorder to establish it more nearly in accord-

the two metals. In financial legislation every measure in and cities, and how much good schools are the direction of greater fidelity in the dis-needed for our youth. charge of pecuniary obligations, has been found by experience to diminish the rates voted to study. Half an hour, at 1 o'clock, of interest which debtors are required to is given for dinner. At half-past one, a pay, and to increase the facility with which half hour for drill, and on Saturday, one money can be obtained for every legitimate hour. From 2 P. M. till 5 P. M. during purpose. Our own recent financial history the week, and all day on Saturday (exshows how surely money becomes abundant shows how surely money becomes abundant whenever confidence in the exact perform- devoted to labor on the farm and grounds. it is safe to assume that the people who placed them in the Constitution, as embody- ance of moneyed obligations is established. PENSION FOR GEN. GRANT.

> I commend to the attention of Congress the great services of the Commander-in-

duet did so much to bring that momentous conflict to a close. The legislation of the

The National Board of Health has sub- yielding gracefully. No similar body of mitted to the Secretary of the Treasury its young men have ever shown so ready a annual report of operations, for transmis- spirit to fall into line and do their duty in

The sentiment that the constitutional

education of the people was neglected or prevented, in the interest of slavery. Firmly convinced that the subject of popular education deserves the earnest attention of extent of many thousands of miles. Prothe people of the whole country, with a ducers and consumers alike, have a com- once. They must be patient. They must view to wise and comprehensive action by mon interest in such unequaled facilities bear in mind that everything cannot be the Government of the United States, I respectfully recommend that Congress, by suitable legislation and with proper safeguards, supplement the local educational funds in the several States where the grave duties and responsibilities of citizenship have been the Nation. Its jurisdiction is paramount Up A Telegraph Pole For the Raygent and careful supervision, with a view to AT THE END OF A ROPE, THERE TO REMAIN

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TERMS OF ADVERTISING

he year prior to the passage of the bill for change. The amount needed for these

2. It is known to contain a quantity of

. For these reasons the Secretary respect-

The Sophomore Class numbers twelve REPEAL SO MUCH OF EXISTING LEGISLAthe Freshman, sixty and the balance are in
the Preparatory Department, numbering
one hundred and fifty, and made up into

ber of students over fifteen years of ago, ance with the actual ratio of value between shows a lack of thoroughness is to be found in the free-school system, out of the towns

The labor will not be compulsory till the dormitory is occupied. Work, however, is given to all who apply for it, and during October, several students nearly carned Chief of our armies during the war for the Union, whose wise, firm and patriotic conduct did so much to bring that momentum.

Over one hundred can be seen every even-

> The military discipline is being enforced. It was a little hard at first, but now all are

direction of the Secretary of the Treasury, desks, with chemicals, apparatus, etc., will on estimates made by the National Board of be at hand for student manipulation and Health, to be approved by him, no further duty devolves upon the Secretary as to such receiving its ontfit and will be in good dishursements than to decide whether the working condition. The Farm Department requisitions made by the board are for purhas ample means, and is being taken in

isher.

Last Saturday morning a negro named The channel of the Columbia river, for a distance of about one hundred miles from its mouth, is obstructed by a succession of the castenge of the castenge of the columbia river, for a distance of about one hundred miles from its mouth, is obstructed by a succession of River and stoke of the castenge o Bluff, ravished Mrs. Miller, and stole from gation, and heavy expense for lighterage and towage A depth of at least twenty some articles of jewelry. Though search